

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

Criminal No. 00-085-06 (CCC)

JOSE MONTES-ORTOLAZA

**MOTION REQUESTING TO EXTEND
SUPERVISED RELEASE TERM**

**TO THE HONORABLE CARMEN C. CEREZO
U. S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

**COMES NOW, Victor Carlo-Chevere, United States Probation Officer of this
Honorable Court and respectfully informs and prays as follows:**

On February 19, 2002, Your Honor sentenced Mr. Montes-Ortolaza to six (6) months of imprisonment followed by two (2) years on supervised release for a violation of Title 18, U.S.C. Section 371, 1344. A \$2,000 fine was imposed.

As of today, Ms. Montes-Ortolaza has an outstanding fine balance of \$475.00. He is currently making monthly payments in the amount of \$100.00. To financially survive, Mr. Montes-Ortolaza works at a painting shop. His term of supervised release is due to expire on June 24, 2005, and we anticipate that releasee will not be able to satisfy the imposed restitution by then.

On February 2, 2005, Ms. Wanda Gonzalez, Financial Litigation Unit, expressed her opposition on taking the responsibility of the collection of Mr. Montes-Ortolaza's imposed fine in this case as she voiced doubts about the offender's efforts to satisfy the same. It is

to be noted that Mr. Montes-Ortolaza has a second case, CR 00-862-02 (DRD) in which he was ordered to pay a \$10,000.00 fine. The imposed supervised release term in the referenced case is due to expire on June 24, 2006.

On June 15, 2005, Mr. Montes-Ortolaza agreed to waive his right for a judicial hearing in order to extend his supervised release term for an additional twelve months, for a total of three years under supervised release.

Wherefore, in lieu of the aforementioned, we pray the Court to grant the petition to extend offender's supervised release term for a period of 12 months. If so granted, supervised release will then expire on June 24, 2006.

In San Juan, Puerto Rico, this **16th day of June, 2005**.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/ Victor Carlo-Chevere

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CERTIFICATE OF SERVICE

I HEREBY certify that on **June 16, 2005**, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

U.S. Attorney Humberto García, Esq., and Ernesto Hernández Esq. I hereby certify that I have mailed by United States Postal Service the document to the following CM/ECF participants:

Joseph Law, Federal Public Defender, 241 Roosevelt Avenue, El Patio Gallery, San Juan, P.R. 00918.

At San Juan, Puerto Rico, June 16, 2005.

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